



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 3488**
Borge BJORNEKLETT et al. : Attorney Docket No. 2004_1173A
Serial No. 10/502,395 : Group Art Unit 1793
Filed January 25, 2005 : Examiner Scott R. Kastler

METHOD OF DETERMINING A HEAT
TREATMENT AND MEMBER SO
TREATED : **Mail Stop: AMENDMENT**

TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
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Sir:

The owner, Norsk Hydro ASA, of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/485,646, filed May 17, 2004. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

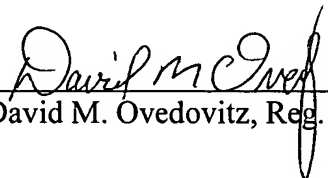
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

July 1, 2008

By: 
David M. Ovedovitz, Reg. No. 45,336

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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